

**OFFICE OF THE
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District of Minnesota

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January 28, 2014

Honorable Jeanne J. Graham
United States Magistrate Judge
342 U.S. Courthouse
316 North Robert Street
St. Paul, MN 55101

Re: United States v. Frank Russell McCoy
Criminal No. 14MJ47 (JJG)

Dear Magistrate Graham:

I represent Frank McCoy in the above-captioned case involving an allegation that Mr. McCoy violated the conditions of his supervised pretrial release. This matter will be removed to the Middle District of Georgia. I have spoken to Mr. McCoy twice by phone and also spoken to his attorney in Georgia.

As predicted and addressed to an extent in court yesterday, Mr. McCoy wishes to waive his preliminary and detention hearings, which are currently scheduled for 10:30 a.m. on Thursday in front of the Court. He will reserve both hearings so that, if he and his counsel chose, he can have them in Georgia. I have explained his right to have the hearings heard, and he understands that by giving them up he will remain in custody until his removal to Georgia. Mr. McCoy is knowingly and voluntarily waiving Thursday's hearings and he understands the implications of doing so.

Both Mr. McCoy and I would appreciate it if the Court could remove Thursday's hearing from its calendar.

Sincerely,

s/ Katherine M. Menendez
KATHERINE M. MENENDEZ
Assistant Federal Defender

cc: Jeff Paulsen, AUSA
Lisa Martinetto, USPO